

REMARKS

Claims 1-4, 6-13, 15-24, 26-33, and 35-37 were pending and stand rejected. Applicants thank the Examiner for examination of the claims pending in this application and address her comments below.

Applicants are amending claims 1, 3-4, 6-13, 21, 24, and 26-33, and canceling claims 3 and 23 in this Amendment and Response. These changes are believed not to introduce new matter, and their entry is respectfully requested. In making these amendments, Applicants do not concede that the subject matter of such claims was in fact disclosed or taught by the cited prior art. Rather, Applicants reserve the right to pursue such protection at a later point in time and merely seek to pursue protection for the subject matter presented in this submission.

In view of the Amendments herein and the Remarks that follow, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Response to Rejections under 35 U.S.C. § 103

In a first group of rejections identical to those of the Final Office Action of April 19, 2007, claims 1-4, 6, 9-11, 15-24, 26, and 29-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Travis, U.S. Patent Application No. 20040215607, in view of Linden, U.S. Patent Application No. 20020019763. Furthermore, claims 7-8 and 27-28 stand rejected under § 103(a) as being unpatentable over Travis in view of Linden, and further in view of Barrett, U.S. Patent Application No. 20030135490. Additionally, claims 12-13 and 32-33 stand rejected under § 103(a) as being unpatentable over Travis in view of Linden, and further in view of Petropoulos, U.S. Patent No. 7,047,502.

Regarding this first group of rejections, the pending claims are distinguishable over the

cited references for the same reasons discussed in the Attachment to the Pre-Appeal Brief Request for Review, filed on July 19, 2007.

Response to Alternate Rejections under 35 U.S.C. §§ 102 and 103

In a second, alternate group of rejections beginning on page 9 of the Office Action, claims 1, 6, 21, and 26 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Bates, U.S. Patent No. 6,801,906. Further, claims 2-4, 9-11, 15-20, 22-24, 29-31, and 35-37 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bates in view of Travis. Additionally, claims 7-8 and 27-28 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bates and Travis in view of Barrett. Finally, claims 12-13 and 32-33 stand rejected under § 103(a) as allegedly being unpatentable over Travis in view of Linden, and further in view of Petropoulos. These rejections are traversed together.

Independent claim 1 as amended recites a method comprising:

obtaining from an index a search result associated with a current search query, the search result comprising a first article identifier;
providing a content display comprising a second article identifier;
comparing the current search query to a previous search query associated with the content display;
responsive at least in part to the current search query and the previous search query differing by more than a predetermined amount, updating the content display; and
responsive at least in part to the current search query and the previous search query not differing by more than the predetermined amount, not updating the content display.

Thus, the claimed invention involves comparing the current search query to a previous search query associated with the content display. Claim 1 as amended is not subject to the Examiner's suggested alternate interpretation ("that the current search query and previous search query are the same query searches, but at a completely different time interval"). If the current search query and previous search query differ, they cannot be the same query search at a completely different

time interval.

Bates does not disclose or suggest the claimed updating or not updating a content display. This is unsurprising when one considers that Bates is directed to an entirely different problem than that of the claimed invention. That is, rather than concerning whether or not to update a content display, Bates instead addresses how to display search results corresponding to queries that have been run in the past so as to emphasize information that was unlikely to have been viewed when the query was previously run. (*See generally* Bates, Background). This involves scanning through a list of prior queries stored in a cookie to match the latest search with a previous search. (Bates 10:28-30). A match means that the query has been run before, in which case a variety of factors, such as include / exclude records, the amount that pages have changed since the last time the query was run, which pages that the user has visited since the last query, etc., are examined to determine the order in which results should be displayed. (*See, e.g.*, Bates 10:38-67).

Bates fails to disclose or suggest “responsive at least in part to the current search query and the previous search query not differing by more than the predetermined percentage or amount, not updating the content display.” Rather, Bates will still perform an update regardless of the amount of difference between the current and previous search queries—the question is the manner in which the entries will be displayed. This is determined by the factors such as the user-specified include / exclude records previously mentioned. Thus, Bates does not anticipate claim 1 for at least this reason.

Independent claim 21 recites “updating the content display responsive at least in part to the current search query and the previous search query differing by more than a predetermined amount, and not updating the content display responsive to the current search query and the

previous search query not differing by more than a predetermined amount.” Thus, claim 21 is distinguishable over the cited references for at least the same reasons discussed above with respect to claim 1.

The remaining claims depend, directly or indirectly, from either independent claim 1 or claim 21, and thus are distinguishable from Bates for at least the same reasons discussed above with respect to claims 1 and 21. Nor do the secondary references remedy the deficiencies of Bates. Travis discloses blending multiple sets of search results through transforming relevance scores of the results. Barrett discloses, within the context of a backend database, a method of producing popularity rankings for web sites and other information within the database using statistical techniques to measure changes in popularity of information over time. Petropoulos describes a way to display previews of information when a mouse cursor is over a particular region of a display. None of the these three references discloses “updating the content display responsive at least in part to the current search query and the previous search query differing by more than a predetermined amount, and not updating the content display responsive at least in part to the current search query and the previous search query not differing by more than a predetermined amount,” as claimed. Accordingly, a person of ordinary skill in the art considering the teachings of Bates, Travis, Barrett, and Petropoulos, either alone or in combination, would not have found the claimed invention obvious.

Therefore, Applicants respectfully request allowance of this application. The Examiner is invited to contact the undersigned by telephone to advance the prosecution of this application.

Respectfully submitted,
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